

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	NO. 3:CR-09-000272
vs.	:	
	:	
MICHAEL T. CONAHAN and	:	(JUDGE KOSIK)
MARK A. CIAVARELLA, JR.	:	

**MOTION OF DEFENDANT, MARK A. CIAVARELLA, JR.,
TO DISMISS BASED UPON OUTRAGEOUS GOVERNMENT CONDUCT**

The defendant, Mark A. Ciavarella, Jr., by and through his undersigned counsel, joins in the Motion of the co-defendant, Michael T. Conahan, to Dismiss for Government Misconduct, for those reasons as set forth in the Motion and which are incorporated herein by reference.

/s/Al Flora, Jr.
Al Flora, Jr., Esq.

/s/ William Ruzzo
William Ruzzo, Esq.

Counsel for Ciavarella

CERTIFICATE OF NON-CONCURRENCE

Undersigned counsel contacted AUSA William Houser on March 1, 2010, and at this time, his office does not concur in the aforesaid motion.

/s/Al Flora, Jr.
Al Flora, Jr., Esq.
Counsel for Ciavarella